HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 489 of 2003

Petitioner		Durga Prasad Kaushik, Son of Shri Kedr Nath Kaushik, aged 44 years, Compounder, Primary Health Centre, Bastar, Resident of Bazarpara, Bastar.
	Versus	
Respondents	1.	State of Chhattisgarh, through the Ministry of Health, Dau Kalyan Singh Bhawan, Raipur.
	2.	The Director, Health Services, Opposite Mantralaya, Raipur.
	3.	The Chief Medical Officer, Jagdalpur, Bastar.
	4.	The Block Medical Officer, Primary Health Centre, Bastar.

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri B. P. Sharma, Advocate for the petitioner.

Shri Pankaj Shrivastava, Panel lawyer for the respondents.

ORAL ORDER

(2nd February, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioner, who was Compounder at Primary Health Centre, Bastar was transferred from Primary Health Centre Baster, District-Jagdalpur to Primary Health Centre Basaguda, District Dantewada vide order dated 13.12.2001 (Annexure P/1). Being aggrieved the petitioner filed an original application being O.A.No. 26/2002 before the State Administrative Tribunal, Bench at Raipur. Learned Tribunal vide order dated 11.1.2002 (Annexure P/2) granted status quo as on 5.1.2002. Thereafter vide order dated 11.2.2004 (Annexure P/13) the earlier transfer order dated 13.12.2001 was cancelled. Accordingly, it is not necessary to look into the validity of the earlier transfer order

(24)

dated 13.12.2001, which stands cancelled by the subsequent order dated 11.2.2004.

2. Learned counsel for the petitioner submits that the petitioner has not been paid salary for some period. The petitioner prays for liberty to make a representation before the concerned authorities for release of his salary because the earlier order dated 13.12.2001 has been cancelled by the subsequent order dated 11.2.2004.

3. In view of the submissions made by learned counsel for the petitioner, supra, the petition is dismissed with the above liberty to the petitioner to make a representation to the concerned authority. In case any representation is made, the respondents are directed to consider the same and decide in accordance with the law within a period of four weeks from the date of the representation. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Thakur